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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/714,642   | 11/18/2003  | Masayuki Takenaka    | 117215              | 2531             |
| 25944 7590 01/06/2009<br>OLIFF & BERRIDGE, PLC<br>P.O. BOX 320850<br>ALEXANDRIA, VA 22320-4850 |             |                      |                     |                  |
| EXAMINER   |             |                      |                     |                  |
| LE, TAN  |             |                      |                     |                  |
| ART UNIT   |             | PAPER NUMBER         |                     |                  |
| 3632   |             |                      |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/714,642

**Applicant(s)**

TAKENAKA ET AL.

**Examiner**

Tan Le

**Art Unit**

3632

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 8, 11-13, 16 and 19-27 is/are pending in the application.
- 4a) Of the above claim(s) 21-26 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27 is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 11-13, 16 and 19 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This is an office action responding to Applicant's reply filed 9/29/08.

Claims 1-5, 8, 11-13, 16, 19-27 are pending. Claims 6-7, 9-10, 14-15, 17-18 were canceled. Claims 21-26 were withdrawn. Claim 27 has been added.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 9/29/08 is acknowledged and being considered by examiner.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "ribbed structure" must be shown or the feature canceled from the claim. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Claim Rejections - 35 USC § 103**

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-5, 8, 11-13, 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent No. 6,166,498 to Yamaguchi et al. in view of US patent No. 5,460,234 to Matsuura et al.

As to claim 1, Yamaguchi et al. discloses a drive unit for hybrid vehicles comprising: a control unit section (46, 49, 51 ) (Fig. 1, for example ) of a drive unit (10) provided with an electric motor (16) being mounted on the drive unit (10) to be united therewith, the control unit section, comprising: a power unit (50, 54, 53); and a control unit (46, 51), the power unit being mounted to the drive unit (10), and the control unit being supported on the drive unit (10). The control unit comprises a control board (57a,

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57b (col. 5, line 8) mounted to a base 49, 61 to control the drive unit. The base having a ribbed structure 56 (formed by the groove and cover 61) for example.

The Yamaguchi device differs from claim 1 of the present invention in that it is not provided the base, which is supported through vibration proof mechanism on the drive unit.

Matsuura et al teaches the concept of such (through dampers 24, 28, 38, 40, 67 and 76 together) for providing better vibration or shock isolation to the control unit.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the base, which is supported through vibration proof mechanism on the drive unit on the Yamaguchi et al base as taught by Matsuura et al in order to provide better vibration performance or better isolation to the control unit section which is exposed to vibrations during running vehicle. As to claim 2, wherein the power unit comprises an inverter unit (50, 53, 54), the inverter unit is connected to the electric motor (16) (Fig. 1 ) of the drive unit (10) through a connection member (LGv, LGw) and the connection member is immovably mounted to the drive unit and the power unit.

As to claims 3 and 11, wherein the power unit comprises an inverter unit, the control unit section is provided with a casing (46), which receives therein at least the inverter unit, and the power unit is held on the casing.

As to claims 4 and 12, wherein the casing (46) is mounted to the drive unit (10) to thereby make the power unit immovable relative to the drive unit.

As to claims 5 and 8, Yamaguchi et al as modified also teaches the control unit is supported through the vibration proof mechanism on the power unit and supported through the power unit on the drive unit.

As to claims 13 and 16, wherein the power unit comprises an inverter unit, the control unit section is provided with a casing, which receives therein at least the inverter unit, and the power unit is held on the casing.

As to claim 19, Yamaguchi in view of Matsuura et al. differs from claim 19 of the present invention in whether the flexible grounding member to ground the control unit to the drive unit. However, flexible grounding connector is well known in the art to allow relative movement between connections at both ends without resistance therefore it would have been an obvious matter of design choice to include a flexible grounding member to ground the control unit to the drive unit for the desirable purpose of simply reducing resistance.

### **Allowable Subject Matter**

Claim 20 is objected to but would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

New claim 27 has been amended to included the allowable subject matter as indicated in the previous office action, therefore claim 27 is allowed

### **Response to Arguments**

Applicant's arguments filed 9/29/08 have been fully considered but they are not persuasive.

Applicant argues that Yamaguchi may disclose a base from which a control board is mounted, but the base does not have a ribbed structure. The examiner respectfully disagrees. As discussed in the final action above, it is clear that Yamaguchi discloses, Fig. 1 for example, the base 61, 49 having a ribbed structure 56, the ribbed structure associated with the base from which the control board (51, 53 57, 46) is mounted (see Col. 6, lines 7-24). Note that the "ribbed structure" or "flow path" 56 is formed by groove and the cover 61 which is formed of a metal having excellent heat conductivity, and connected to the radiator, for flow a cooling water therethrough and cooled in the radiator.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Le whose telephone number is (571) 272-6818. The examiner can normally be reached on Mon. through Fri. from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen J. Shriver can be reached on (571) 272-6689. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amy J. Sterling/  
Primary Examiner, Art Unit 3632  
1/4/09

/Tan Le/  
Examiner, Art Unit 3632